## REMARKS

In the Office Action mailed from the United States Patent and Trademark Office on September 9, 2002, the Examiner provided a note relating to the specification, rejected claim 6 under 35 U.S.C. § 112, second paragraph, and rejected claims 1-7 and 9 under 35 U.S.C. § 103(a) as being unpatentable over Anderson et al (U.S. Patent No. 6,058,380, hereinafter "Anderson") in view of Gilai et al (U.S. Patent No. 6,018,736, hereinafter "Gilai") in further view of IBM Technical Disclosure Bulletin (October 1976, hereinafter "IBM TDB").

Applicant appreciates the Examiner's comments relating to the specification and respectfully submits that the amendments to the specification as provided herein capitalize all trademarks as indicated by the Examiner. Moreover, Applicant respectfully submits that the rejection of claim 6 under 35 U.S.C. § 112, second paragraph, has been overcome by the amendments provided herein. Regarding the rejection under 35 U.S.C. § 103(a), Applicant respectfully provides the following:

Anderson teaches a system and method for processing invoice information in which invoice information is communicated from a first site to a second site and an automated reasonability test is performed on the invoice information at the second site using a reasonability criterion. (Abstract) In Anderson, "... an intermediary, e.g., a bank, having EDI capabilities to electronically process vendor invoice information on behalf of a customer that does not have EDI capabilities." (Col 2, lines 9-12)

Gilai teaches a database accessing system for processing a request to access a database including a multiplicity of entries, each entry including at least one word, the request including a sequence of representations of possibly erroneous user inputs, the system including a similar word finder operative, for at least one interpretation of each representation, to find at least one database

word which is at least similar to that interpretation, and a database entry evaluator operative, for each database word found by the similar word finder, to assign similarity values for relevant entries in the database, said values representing the degree of similarity between each database entry and the request. (Abstract)

IBM TDB teaches a system for implementing the payment of bills through self-service consumer transaction facilities that utilizes cards.

In contrast, the present invention remedies the problem of two heretofore incompatible payment methods and fulfills a need not solved by either method. In particular, independent claim 10 claims a method for electronically initiating a payment to a vendor regardless of whether the vendor utilizes an electronic payment technology, the method comprising steps for providing a user computer system that includes an electronic accounting application; generating an electronic payment file at the user computer system; transmitting the electronic payment file from the user computer system to initiate payment of an amount owed to the vendor; and receiving the electronic payment file at a third-party electronic payment processing center from the user computer system; and using the third-party electronic payment processing center to effectuate payment of the amount owed to the vendor regardless of whether the vendor utilizes an electronic payment technology, wherein the step for using the third-party electronic payment processing center to effectuate payment comprises the steps for using an electronic payment technology when available; and using a printed check when no electronic payment technology is available.

Applicant respectfully submits that none of the references cited by the Examiner, or any combination thereof, teach or suggest each and every limitation of the independent claim 10. Moreover, Applicant respectfully submits that there is no teaching to combine Anderson with Gilai

and/or IBM TDB as Anderson teaches of a customer that does not have access to EDI technology. In contrast, independent claim 10 includes a limitations of "providing a user computer system that includes an electronic accounting application; generating an electronic payment file at the user computer system; [and] transmitting the electronic payment file from the user computer system to initiate payment of an amount owed to the vendor..." Thus, while Anderson teaches that a customer/user does not have access to EDI technology, independent claim 10 claims "providing a user computer system that includes an electronic accounting application; generating an electronic payment file at the user computer system; [and] transmitting the electronic payment file from the user computer system to initiate payment of an amount owed to the vendor...". Since the prior art references cited by the Examiner do not teach nor suggest each and every limitation of claim 10, Applicant respectfully submits that the prior art references do not anticipate claim 10. Similarly, Applicant respectfully submits that claims 11-17, which depend from independent claim 10, are not anticipated by the cited references. Moreover, Applicant respectfully submits that claims 10-17 as provided herein are not obvious to one of ordinary skill in the art at the time the invention was made for at least the reasons provided above.

Independent claim 18 claims a method for using a third-party electronic payment processing system in effectuating a payment of an amount owed to a vendor responsive to an electronic payment file received from a user, regardless of whether the vendor or a financial institution of the vendor employs electronic data exchange for payment processing, the method comprising steps for receiving at a third-party electronic payment processing system an electronic request from a user computer system to effectuate payment of the amount owed by the user to the vendor regardless of whether the vendor or a financial institution of the vendor employs electronic data exchange for

payment processing, wherein the request includes an electronic payment file generated by the user computer system; and using the third-party electronic payment processing center to effectuate the payment of the amount owed by the user to the vendor regardless of whether the vendor or a financial institution of the vendor employs electronic data exchange for payment processing, wherein the step for using the third-party electronic payment processing center to effectuate payment comprises the steps for: using an electronic payment technology to effectuate the payment when the electronic payment technology is employed for financial data exchange by at least one of (i) the vendor and (ii) a financial institution of the vendor ; and generating and providing a printed check on behalf of the user to effectuate the payment when no electronic payment technology is employed to enable a financial data exchange by the vendor and the financial institution of the vendor.

Applicant respectfully submits that none of the references cited by the Examiner, or any combination thereof, teach or suggest each and every limitation of the independent claim 18. Moreover, Applicant respectfully submits that there is not teaching to combine Anderson with Gilai and/or IBM TDB as Anderson teaches of a customer that does not have access to EDI technology. In contrast, independent claim 18 includes a limitation of "receiving at a third-party electronic payment processing system an electronic request from a user computer system to effectuate payment of the amount owed by the user to the vendor regardless of whether the vendor or a financial institution of the vendor employs electronic data exchange for payment processing, wherein the request includes an electronic payment file generated by the user computer system..." Thus, while Anderson teaches that a customer/user does not have access to EDI technology, independent claim 18 claims a limitation of receiving at a third-party electronic payment processing system an electronic request from a user computer system to effectuate payment of the amount owed by the

user to the vendor regardless of whether the vendor or a financial institution of the vendor employs electronic data exchange for payment processing, wherein the request includes an electronic payment file generated by the user computer system. Since the prior art references cited by the Examiner do not teach or suggest each and every limitation of claim 18, Applicant respectfully submits that the prior art references do not anticipate claim 18. Similarly, Applicant respectfully submits that claims 19-21, which depend from independent claim 18, are not anticipated by the cited references. Moreover, Applicant respectfully submits that claims 18-21 as provided herein are not obvious to one of ordinary skill in the art at the time the invention was made for at least the reasons provided above. Furthermore, Applicant respectfully provides that the amendments provided herein do not include new matter as the basis for the amendments are provided in the original disclosure of the application as filed.

## CONCLUSION

Applicant believes the application to now be in condition for allowance and respectfully requests the same. In the event there remains any impediment to allowance of the claims that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate such an interview with the undersigned.

DATED this 7 day of March, 2003.

Respectfully submitted,

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## VERSION SHOWING CHANGES MADE

IN THE SPECIFICATION:

Please amend the paragraph beginning on page 8, line 13 as follows:

User 10 may generate payments through an accounting software package 12 which may take the form of several types of commercial off the shelf (COTS) software applications [such as Quicken, PeachTree, DacEasy, Great Plains, SAP, SQL, CA, and many others] (e.g., QUICKEN, PEACHTREE, DACEASY, GREAT PLAINS, SAP, SQL, CA, etc.). By accepting output generated from most commercial accounting applications, a large number of users are able to utilize the features of the present invention. In the present invention, the user receives recorded invoices and bills that require attention. These commercial accounting software applications may reside on various hardware platforms such as mainframe computers, mini computers, micro computers, including UNIX and PC based systems.

IN THE CLAIMS

Applicant respectfully requests amending the claim set as provided below.

Please cancel claims 1-7.

Claim 8 was cancelled previously.

Please cancel claim 9.

Please add the following new claims:

10. A method for electronically initiating a payment to a vendor regardless of whether the vendor utilizes an electronic payment technology, the method comprising steps for:

providing a user computer system that includes an electronic accounting application;

generating an electronic payment file at the user computer system;

transmitting the electronic payment file from the user computer system to initiate payment of an amount owed to the vendor; and

receiving the electronic payment file at a third-party electronic payment processing center from the user computer system; and

using the third-party electronic payment processing center to effectuate payment of the amount owed to the vendor regardless of whether the vendor utilizes an electronic payment technology, wherein the step for using the third-party electronic payment processing center to effectuate payment comprises the steps for:

using an electronic payment technology when available; and

using a printed check when no electronic payment technology is available.

11. A method as recited in claim 10, wherein the step for using a printed check when no electronic payment technology is available comprises a step for using a printing device at the electronic payment processing center to effectuate payment of the amount owed to the vendor responsive to the electronic payment file received when no electronic payment technology is available.

12. A method as recited in claim 10, wherein the step for using an electronic payment technology when available comprises steps for:

generating an ACH file at the third-party electronic payment processing center from the electronic payment file; and

using the ACH file to effectuate payment of the amount owed to the vendor responsive to the electronic payment file received when electronic payment technology is available.

13. A method as recited in claim 12, wherein the step for using an electronic payment technology when available further comprises steps for:

providing a financial account of a financial institution that corresponds to the vendor, wherein the financial institution is electronically coupled to the third-party electronic payment processing center; and

receiving the ACH file at the financial institution from the third-party electronic payment processing center.

14. A method as recited in claim 10, wherein the electronic payment file comprises remittance data, an invoice number, an invoice date, an invoice description, an invoice amount, a check date, a check number, a check amount, a payee name, and a payee address.

15. A method as recited in claim 14, further comprising a step for generating the electronic payment file at the user computer system from accounting information.

16. A method as recited in claim 15, wherein the step for generating the electronic

payment file at the user computer system comprises a step for receiving the electronic payment file from the electronic accounting application.

17. A method as recited in claim 16, wherein the electronic payment file in an ASCII text data format.

18. A method for using a third-party electronic payment processing system in effectuating a payment of an amount owed to a vendor responsive to an electronic payment file received from a user, regardless of whether the vendor or a financial institution of the vendor employs electronic data exchange for payment processing, the method comprising steps for:

receiving at a third-party electronic payment processing system an electronic request from a user computer system to effectuate payment of the amount owed by the user to the vendor regardless of whether the vendor or a financial institution of the vendor employs electronic data exchange for payment processing, wherein the request includes an electronic payment file generated by the user computer system; and

using the third-party electronic payment processing center to effectuate the payment of the amount owed by the user to the vendor regardless of whether the vendor or a financial institution of the vendor employs electronic data exchange for payment processing, wherein the step for using the third-party electronic payment processing center to effectuate payment comprises the steps for:

using an electronic payment technology to effectuate the payment when the electronic payment technology is employed for financial data exchange by at least one of (i) the vendor and (ii) a financial institution of the vendor ; and

generating and providing a printed check on behalf of the user to effectuate the payment when no electronic payment

technology is employed to enable a financial data exchange by the vendor and the financial institution of the vendor.

19. A method as recited in claim 18, wherein the step for using an electronic payment technology to effectuate the payment when the electronic payment technology is employed for financial data exchange by at least one of (i) the vendor and (ii) a financial institution of the vendor further comprises a step for generating an ACH file to automatically effectuate the payment by the third-party electronic payment processing system on behalf of the user of the amount owed to the vendor responsive to the electronic payment file received from the user computer system.

20. A method as recited in claim 18, wherein the electronic payment file comprises remittance data, an invoice number, an invoice date, an invoice description, an invoice amount, a check date, a check number, a check amount, a payee name, and a payee address.

21. A method as recited in claim 18, wherein the electronic payment file was generated on the user computer system from accounting information and an electronic accounting application, and wherein the electronic payment file is in an ASCII text data format.